

SF-83 SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY
STANDARDS OF PERFORMANCE
NSPS SUBPART NN
PHOSPHATE ROCK PLANTS

1. Identification of the Information Collection

1(a) Title of the Information Collection

ICR for NSPS Subpart NN - Phosphate Rock Plants Subject to New Source Performance Standards

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for phosphate rock plants were proposed on September 21, 1979 and promulgated on April 16, 1982. These standards apply to the following facilities in phosphate rock plants with capacities greater than 4 tons/hour: dryers, calciners, grinders, and ground rock handling and storage facilities, (except those facilities producing or preparing phosphate rock solely for consumption in elemental phosphorus production), commencing construction, modification or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 60 subpart NN.

Owners or operators of the affected facilities described must make the following one-time-only reports: notification of the date of construction or reconstruction; notification of the anticipated and actual dates of startup; notification of any physical or operational change to an existing facility which may increase the regulated pollutant emission rate; notification of demonstration of the continuous monitoring system (CMS); notification of the date of the initial performance test; and the results of the initial performance test. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring is inoperative. These notifications, reports and records are required, in general, of all sources subject to NSPS.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two years following the date of such measurements, maintenance reports, and records.

Sixteen sources are currently subject to these standards, and it is estimated that an additional two sources per year will become subject to the standards in the next three years.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 111 of the Clean Air Act, as amended, to establish standards of performance for new stationary sources that reflect:

. . . application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated (Section 111(a)(1)).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every four years. In addition, Section 114(a) states that:

. . . the Administrator may require any owner or operator subject to any requirement of this Act to (A) establish and maintain such records, (B) make such reports, (C) install, use and maintain such monitoring equipment or methods (in accordance with such methods at such locations, at such intervals, and in such manner as the Administrator shall prescribe), and (D) sample such emissions, (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical, (F) submit compliance certifications, and (G) provide such other information as he may reasonably require.

In the Administrator's judgment, particulate matter emissions from phosphate rock plants cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, NSPS were promulgated for this source category at 40 CFR Part 60 subpart NN.

2(b) Practical Utility/Users of the Data

The control of emissions of particulate matter from phosphate rock plants requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of particulate matter from phosphate rock plants are the result of operation of the calciners, dryers, grinders, and ground rock handling and storage facilities. These standards rely on the capture of particulate emissions by a baghouse or wet scrubber.

All reports are sent to the delegated State or local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office. Notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated. Performance test reports are needed as these are the Agency's record of a

source's initial capability to comply with the emission standard and note the operating conditions (flow rate and pressure drop) under which compliance was achieved. The quarterly reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations. The standard also requires semiannual reporting of deviations from monitored scrubber pressures or opacity, as these are good indicators of the source's compliance status. EPA reduced the reporting frequency for this information from quarterly to semiannual in a December 1990 Federal Register. This reduction in reporting frequency is in response to OMB's previous questions regarding the need for quarterly versus semiannual reporting. The information generated by the monitoring, recordkeeping and reporting requirements described above is used by the Agency to ensure that facilities affected by the NSPS continue to operate the control equipment used to achieve compliance with the NSPS. Notification of construction and startup indicates to enforcement personnel when a new affected facility has been constructed and therefore is subject to the standards. In order to ensure compliance with these standards, adequate recordkeeping is necessary. In the absence of such information, enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act.

The information collected from recordkeeping and reporting requirements is also used for targeting inspections and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

3(a) Nonduplication

The recordkeeping and reporting requested is required under 40 CFR Part 60 subpart NN. If the standard has not been delegated the information is sent to the appropriate EPA Regional Office. Otherwise, the information is sent directly to the delegated State or Local Agency. If a State or Local Agency has adopted their own similar regulation to implement NSPS subpart NN, a copy of the report submitted to the State or local Agency can be sent to the Administrator in lieu of the report required by the Federal Standard. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on September 15, 2000 (65 FR 55955).

3(c) Consultations

In developing the standards, several States, a number of State agencies, owners and operators of affected facilities, and other interested parties were contacted. No comments were received on the burden published in the Federal Register.

3(d) Effects of Less Frequent Collection

If the frequency of information collection was further reduced, the main consequence would be that the chances of detecting poor operation and maintenance of control equipment would decrease. Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the required standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied.

3(e) General Guidelines

None of the reporting or recordkeeping requirements contained in 40 CFR Part 60 or otherwise pertinent to this request violate any of the regulations established by OMB in 5 CFR 1320.6.

3(f) Confidentiality

The required information consists of emissions data and other information that have been determined not to be private. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contained in 40 CFR Part 60 or otherwise pertinent to this request contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents of the recordkeeping and reporting requirements are Phosphate Rock Plants, SIC Code 1479 (NAIC Code 212393) with a rated capacity in excess of 4 tons/hour and which commenced construction modification, or reconstruction after September 21, 1979.

4(b) Information Requested

(i) Data Items

All of the data in this ICR that is recorded and reported is required by 40 CFR Part 60 subpart NN, as indicated.

Provide notification of

- construction/reconstruction [60.7(a)(1)]
- anticipated startup [60.7(a)(2)]
- actual startup [60.7(a)(3)]
- initial performance test [60.8(d)]
- demonstration of continuous monitoring system [60.7(a)(5)]
- physical or operational change [60.7(a)(4)]

Report on

- initial performance test [60.8(a)]
- excess emissions [60.403(f)]

Record

- startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative [60.7(b)]
- performance tests [60.7(d)]
- install, calibrate, maintain, and operate a device to measure phosphate rock feed to any dryer, calciner, or grinder [60.403(d)]
- install, calibrate, maintain, and operate CMS for opacity [60.403(a)], unless a wet scrubber is installed
- if a wet scrubber is installed, install, calibrate, maintain, and operate CMS for pressure loss across scrubber and liquid supply [60.403(c)]

Records are required to be retained for two years.

(ii) Respondent Activities

- read instructions
- install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for wet scrubber
- perform initial performance test, Reference Method 9 test (if opacity), and repeat performance tests if necessary
- write the notifications and reports listed above
- enter information required to be recorded above.

5. The Information Collected--Agency Activities, Collection Methodology, and Information Management.

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and

distribution of the information required under 40 CFR subpart NN:

- observes initial and repeat performance tests
- reviews notifications and reports, including excess emissions reports, required to be submitted by industry
- audits facility records

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect the source to check if the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard and note the operating conditions under which compliance was achieved. Data obtained during periodic visits by Agency personnel from records maintained by the respondents are tabulated and published for internal Agency use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into the Aerometric Information Retrieval System (AIRS) Facility Subsystem (AFS) which is operated and maintained by EPA's Office of Air Quality Planning and Standards. The AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. EPA uses AFS for tracking air pollution compliance and enforcement by local and State regulatory agencies, EPA Regional Offices and Headquarters. EPA can edit, store, retrieve and analyze the data via PC terminals.

The records required by this NSPS must be retained by the owner or operator for two years.

5(c) Small Entity Flexibility

The recordkeeping and reporting requirements were selected within the context of a small collection of process equipment and reflect the burden on small businesses. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced. However, even though the recordkeeping and reporting requirements are the same for small and large businesses, the Agency considers these requirements the minimum needed to ensure compliance, and therefore cannot reduce them further for small businesses.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown on Table 2.

6. Estimating the Burden and Cost of the Collection

Table 2 documents the computation of individual burdens for each of the recordkeeping and reporting requirements applicable to the industry. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. The standard does not specify reporting or recordkeeping methodology. Therefore, the information may be collected, to the maximum extent practicable, in a manner consistent and compatible with the respondent's existing reporting and recordkeeping requirements. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory. The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

6(a) Estimates of Respondent Burden

The only type of industry costs associated with the information collection activity in the standards are labor costs. The labor estimates used in Table 2 were derived from standard estimates based on EPA's experience with other standards. The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated at 3002 person-hours. These hours are based on Agency studies and background documents from the development of the standards or test methods, Agency knowledge and experience with the NSPS program, the previously approved ICR, and any comments received about time to prepare reports.

6(b) Estimates of Respondent Costs

(i) Estimating Labor Costs

This ICR uses a technical labor rate of \$56.99 per hour. This rate is from the United States Department of Commerce Bureau of Labor Statistics, March 2000, Table 10: Employment Costs for Private Industry by Occupational and Industry Group. The rate from column 1: Total compensation was adjusted using the BLS Employer Cost Index values for 2001. The year 2000 total compensation for technical workers was \$26.35, which adjusted by a factor of 1.03 (the 2001:2000 cost index ratio) yielded a March 2001 labor rate of \$27.14 per hour. This was then adjusted by a 110 percent to account for overhead and benefits, providing the hourly rate of \$56.99 per hour used to estimate total labor costs in this ICR. The average annual labor burden to industry over the next three years of the ICR is estimated to be \$171,067.

(ii) Estimating Capital and Operations and Maintenance Costs

The type of industry costs associated with the information collection activity in the standards are labor and opacity continuous emissions monitors. The capital start up costs are one time costs when a facility becomes subject to the standard. The annual capital start up cost for this regulation is \$73,800.

This is based on two new sources per year multiplied by \$36,900 per opacity monitoring device. The annual operations and maintenance cost is estimated to be \$252,650. This is based on an average of 31 existing sources multiplied by \$8,150 for upkeep of the monitoring device. These costs are based on the assumption that all affected entities will face the costs of the more expensive monitoring system (opacity) rather than the less expensive monitoring system (pressure drop) which would occur if wet scrubbers are used as a control device. Therefore, this estimate likely overstates the actual annual burden to industry. The total respondent costs have been calculated on the addition of the capital start up costs and the annual operations and maintenance costs. The average annual burden for capital and operations and maintenance costs to industry over the next three years of the ICR is estimated to be \$326,450.

(iii) Capital/Start-up vs. Operating and Maintenance (O&M) Costs

<u>Monitoring Device</u>	<u>Start up Cost (\$)</u>	<u>Annual O&M Costs (\$)</u>
Opacity Monitor	\$36,900	\$8,150

6(c) Estimating Agency Burden and Cost

The only Federal costs are user costs associated with analysis of the reported information. Publication and distribution of the information are part of the Aerometric Information Retrieval System (AIRS) Facility Subsystem (AFS) which is operated and maintained by the EPA's Office of Air Quality Planning and Standards with the result that no Federal costs can be directly attributed to the ICR. Examination of records to be maintained by the respondents will occur incidentally as part of the periodic inspection of sources, which is part of EPA's overall compliance and enforcement program.

The average annual Federal Government cost during the 3 years of the ICR is estimated to be \$10,328. This cost is based on an average wage of \$27.17 per hour and a 110 percent overhead rate. Details upon which this estimate is based appear in Table 1. Breakdown of costs by cost category is presented as follows:

Average Direct Personnel Cost (including overhead)	\$10,328
Other Direct Costs	\$1,246
Total	\$11,574

6(d) Estimating the Respondent Universe and Total Burden and Costs

The number of existing respondents subject to 40 CFR Part 60 subpart NN is estimated to be

28. The number of new respondents subject to 40 CFR Part 60 subpart NN is estimated to be two per year, an assumption carried forward from the last ICR renewal. The total annual labor costs are \$171,124 and total annual capital and O&M costs to the regulated entity are \$326,450. Details upon which the estimate of labor costs is based appear in Table 2: Industry Burden.

6(e) Bottom Line Burden Hours And Cost Tables

See Tables 1 and 2.

6(f) Reasons for Change in Burden

The increase in burden from the most recently approved ICR is due to an adjustment. The number of plants is assumed to continue to increase at the rate presumed in the previous ICR at 2 per year, for an average total of 31 plants during the period of this ICR. The total reporting requirement for new plants is determined to remain constant at 97 hours. Excess emission reporting burden is estimated to increase incrementally from 160 to 192, based on the average number of existing facilities increasing from 25 to 31. Recordkeeping burden is estimated to increase incrementally from 2,188 hours to 2,714, based on an increase in the average number of facilities to 31. Finally, the capital/start-up and operating and maintenance (O&M) costs associated with installing and operating continuous monitoring systems, which was calculated for the previous ICR at \$257,100, was increased to \$326,450 for this ICR based on an adjustment for inflation for costs and an increase in the estimated number of facilities.

6(g) Burden Statement

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to: review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, to the Director, Collection Strategies Division, Office of Environmental Information (OEI), U.S. Environmental Protection Agency, Mail code 2822, 1200 Pennsylvania Avenue, Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for

EPA. Include the EPA ICR number and OMB control number in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

TABLE 1: AVERAGE ANNUAL EPA RESOURCE REQUIREMENT
FOR PHOSPHATE ROCK INDUSTRY NSPS SUBPART NN

Activity	(A) EPA hr/ Occurrence	(B) Occurrence s /yr	(C) ^a EPA hr/ yr	(D) Respondents /yr	(E) ^b EPA h/yr
<u>Initial Performance Test</u> New Plant	24	1	24	2	48
<u>Repeat Performance Test</u> ^c New Plant	24	0.2	4.8	2	9.6
<u>Report Review</u> New Plant					
Notification of Construction	2	1	2	2	4
Notification of anticipated startup	0.5	1	0.5	2	1
Notification of actual startup	0.5	1	0.5	2	1
Notification of initial test	0.5	1.2	0.6	2	1.2
Review test results	8	1.2	9.6	2	19.2
Notification of demonstration of CMS	0.5	1	0.5	2	1
Excess emission reports ^d	4	2	8	12	96
TOTAL ANNUAL HOURS					181
Travel expenses (1 person x 2 plants/yr x 3 days/plant x \$81 per diem) + (\$380/round trip x 2 plants/yr) = \$1,246/year					
Salary (1 person x 181hr/year x 57.06/hr ^e) = \$10,328					
TOTAL ANNUAL COST TO EPA = \$11,574					

^a AxB=C

^b CxD=E

^c Assume 20 percent of initial performance tests are repeated due to failure

^d Assume that 40% of affected facilities must submit excess emissions reports

^e Assume an hourly wage of \$27.17 plus 110 percent overhead, which equals \$57.06

Table 2. Annual Burden of Reporting and Recordkeeping Requirements for Phosphate Rock Industry–NSPS Subpart NN

	(A) Hours per Occurrence	(B) Occurrences/ respondent/ year	(C=AxB) Hours/ Respondent/ year	(D) Respondents per year	(E-CxD) Hours per year	(F) Cost per year ^c
1. APPLICATIONS	N/A	-	-	N/A	-	-
2. SURVEY AND STUDIES	N/A	-	-	N/A	-	-
3. REPORTING REQUIREMENTS						
A. <u>Read Instructions</u> ^a	1	1	1	2	2	\$114
B. <u>Required Activities</u>						
Initial performance test ^d	28	1	28	2	56	\$3,191
Repeat of performance test ^{de}	28	0.2	5.6	2	11.2	\$638
Reference Method 9 test	4	1	4	2	8	\$456
C. <u>Create Information</u>	Included in 3B					
D. <u>Gather Existing Information</u>	Included in 3E					
E. <u>Write Report</u>						
Notification of construction/ modification	2	1	2	2	4	\$228
Notification of anticipated startup	2	1	2	2	4	\$228
Notification of actual startup	2	1	2	2	4	\$228
Notification of initial performance test	2	1	2	2	4	\$228
Notification of demonstration CMS test	2	1	2	2	4	\$228
Report of performance test	Included in 3B					
Excess opacity or scrubber malfunction reports ^b	8	2	16	12	192	\$10,942
SUBTOTALS					289.2	\$16,482

Table 2. Burden to Industry, NSPS Subpart NN (continued)

	(A) Hours per Occurrence	(B) Occurrences/ respondent/ year	(C=AxB) Hours/ Respondent/ year	(D) Respondents per year	(E-CxD) Hours per year	(F) Cost per year ^c
4. RECORDKEEPING REQUIREMENTS						
A. <u>Read Instructions</u>						
B. <u>Plan Activities</u>						
C. <u>Implement Activities</u>						
D. <u>Develop Record System</u>						
E. <u>Time to Enter Information</u>						
Record of operating parameters ^{fg}	0.25	350	87.5	31	2712.5	\$154,585
F. <u>Train Personnel</u>						
G. <u>Audits</u>						
TOTAL ANNUAL BURDEN					3001.7	\$171,067

^a Assume a total of 2 newly affected facilities per year.

^b Assume 40% of affected facilities submit excess emissions reports

^c Assume an hourly wage of \$27.14 plus 110 percent overhead costs, which equals \$56.99 This amount was multiplied by the hours per year in Column E.

^d Includes burden associated with monitoring phosphate feed rate

^e Assume 20 percent of initial performance tests must be repeated due to failure.

^f Assume operation 350 days per year as specified in the NSPS review document.

^g Midpoint of ICR. $28 + (2 \text{ new per years} \times 3 \text{ years}) / 2 = 31$